

### **Remarks**

These amendments and remarks are in response to the Election/Restriction Requirement dated December 22, 2006 and are filed with a five month extension of time. Authorization is given to charge the extension fee and any other necessary fees, to Deposit Account No. 50-0951. Claims 8, 11, 12, 39, 42 and 43 have been amended to address antecedent basis issues and to address claim dependency. The claims have not been amended based on any prior art.

#### **I. Election/Restriction Requirement**

At the time of the Election/Restriction Requirement, claims 1-68 were pending. The Examiner restricted the claims into the following groups:

- Group I. Claims 1-63; drawn to anchor assembly;
- Group II. Claims 65-68; drawn to method of anchoring; and
- Group III. Claim 64<sup>1</sup>, drawn to method of forming an anchor.

Additionally, the Examiner also issued an election of species, requiring the election of one of the following species:

- Species 1 - Figs 1-2c
- Species 2 - Figs 3-4c
- Species 3 - Figs 5-6a
- Species 4 - Figs 7-8c
- Species 5 - Figs 9-10c
- Species 6 - Figs 11-12
- Species 7 - Figs 13-14
- Species 8 - Figs 15-18
- Species 9 - Figs 19-21
- Species 10 - Figs 22-29

#### **II. Election To be Examined**

In response to the Restriction Requirement and Species Election Requirement, Applicants expressly take no position on the correctness of the requirements. Applicant elects Group I, claims 1-63 and Species 10, Figs 22-29 because of the administrative requirement than an election be made under 37 C.F.R. § 1.142; MPEP § 818.03(b). Applicant submits that claims 1, 2, 4 to 19, 21, 22, 29, 32, 33, 35 to 50, 52, 53, 60 and 63-64

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<sup>1</sup> Applicant understands that the Office Action included a typographical error in listing claim 63, instead of claim 64, as the claim of Group III.

read on Species 10. Further, Applicant submits that claims 1, 8, 13, 14, 18, 19, 29, 32, 39, 44, 45, 49, 50, 60 and 63 read on all Species. Applicant reserves the right to present the withdrawn claims in a divisional application or re-introduce at least some the claims should a generic claim be allowed.

### **III. Conclusion**

Withdrawal of the outstanding Election/Restriction Requirement and examination on the merits is respectfully requested. The Applicant invites the Examiner to call the undersigned if it is believed that the above election is incomplete or improper in any way, or if a telephonic interview would expedite the prosecution of the above-identified application to an allowance.

Respectfully submitted,

**AKERMAN SENTERFITT**

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